



September

VIA ECF

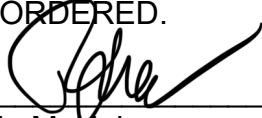
Honorable Philip M. Halpern, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Dawn Jennings v. Bon Secours
Docket No.: 7:20-cv-00015

A Mediation Referral Order shall be docketed separately.

The Clerk is respectfully directed to terminate the motion sequence at Doc. 50.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: New York, New York
October 1, 2020

Dear Honorable District Court Judge Halpern:

We represent the Plaintiff in the above referenced matter. I write on behalf of all parties to respectfully request this case is stayed for a period of not more than 90 days for this case to be referred to the Mediation Program for the Southern District of New York pursuant to Local Civil Rule 83.9 for the reasons set forth below. This is the parties' first request for mediation.

We respectfully make this request as mediation is an efficient use of judicial resources to clarify the legal issues and parties' positions with the possibility of early resolution. To date the parties have had several settlement discussions and at this juncture, mediation may facilitate the resolution of the lawsuit. A mediation would conserve significant resources in anticipation to Defendants' Motion to Dismiss.

If a voluntary settlement of all claims is reached during the Stay, Plaintiff shall promptly file with this Court a Rule 41 notice of dismissal of the Complaint with prejudice. Upon termination of the Stay, the parties respectfully request 30 days for Plaintiff to file Plaintiff's Amended Complaint and 30 days thereafter to file Defendants Answer to the Complaint or submit a letter to the Court seeking a pre-motion conference under Section 2.A.ii of this Court's Individual Practices seeking permission to file a Rule 12 motion to dismiss under the Federal Rules of Civil Procedure.

We thank the Court for its consideration in this matter.

Respectfully submitted,
DEREK SMITH LAW GROUP, PLLC



Melissa Mendoza, Esq.
Attorney for Plaintiff